

Sheet 1 of 1

|  |                            |                  |
|--|----------------------------|------------------|
| <b>SUBSTITUTE FORM PTO-1449<br/>(MODIFIED)</b><br><br><b>U.S. DEPARTMENT OF COMMERCE<br/>PATENT AND TRADEMARK OFFICE</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>(Use several sheets if necessary)<br><br>(37 C.F.R. § 1.98(b)) | <b>Attorney Docket No.</b> | 08582/014002     |
|  | <b>Serial No.</b>          | 10/505,375       |
|  | <b>Applicant</b>           | Fong et al.      |
|  | <b>Filing Date</b>         | May 10, 2005     |
|  | <b>Group</b>               | 1632             |
|  | <b>IDS Filed</b>           | January 23, 2008 |

| U.S. PATENT DOCUMENTS |                 |                  |                       |
|-----------------------|-----------------|------------------|-----------------------|
| Examiner's Initials   | Document Number | Publication Date | Patentee or Applicant |
|                       |                 |                  |                       |

| FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION |                 |                  |                          |                      |
|--|-----------------|------------------|--------------------------|----------------------|
| Examiner's Initials                                    | Document Number | Publication Date | Country or Patent Office | Translation (Yes/No) |
|  |                 |                  |                          |                      |

| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION) |   |
|---|---|
| /JH/  | Gene Therapy Advisory Committee, Seventh Annual Report, Health Departments of the United Kingdom, 2001.   |
| ↓   | Kesari et al., "Therapy of Experimental Human Brain Tumors Using a Neuroattenuated Herpes Simplex Virus Mutant," <i>Lab. Invest.</i> 73(5):636-648, 1995.   |
| ↓   | Letter from Dr. Margaret Straughan, Scientific Development & Bioethics Division, Department of Health, to Mr. Richard Clegg, regarding the publication date of the Seventh Annual Report of the Gene Therapy Advisory Committee dated April 30, 2007. |
| ↓   | Mackie et al., "Intralesional Injection of Herpes Simplex Virus 1716 in Metastatic Melanoma," <i>The Lancet</i> 357(9255):525-526, 2001.  |
| ↓   | Third Party Observations Under Article 115 EPC Filed in Respect of European Patent Application No. 03743747.2 dated December 21, 2007.  |
| ↓   | Wong et al., "Cytokine Gene Transfer Enhances Herpes Oncolytic Therapy in Murine Squamous Cell Carcinoma," <i>Human Gene Ther.</i> 12(3):253-265, 2001.   |

|   |                                   |
|---|-----------------------------------|
| <b>EXAMINER</b> /Joanne Hama/   | <b>DATE CONSIDERED</b> 08/11/2008 |
| EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant. |                                   |